

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lewis M. Nashner

Application No.: 09/145,255

Group No.: 3736

Filed: 09/01/98

Examiner: Hindenburg, Max

For: Apparatus and Method for Movement Coordination Analysis

Mail Stop 16

Director of the US Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR REFUND

(37 C.F.R. § 1.28(a))

I. SUBMISSION OF SMALL ENTITY STATEMENT

A statement claiming small entity status was filed in this application on September 1, 1998.

II. REFUND REQUEST

This request for refund is made within two months of the date a fee was paid in this application on January 14, 2008, in the amount of \$780.

III. REASON FOR REFUND REQUEST

- a. A final office action issued for this application on July 13, 2007.
- b. Applicant filed a response on August 17, 2007, which was within the two-month date of the mailing of the final office action.
- c. When no Advisory Action or Notice of Allowance was issued by the PTO by the six-month statutory deadline, Applicant filed a Notice of Appeal on January 14, 2008, along with a three-month extension of time.
- d. The Notice of Allowance was issued on February 13, 2008.
- e. Applicant is now seeking to get a refund of the fees paid in connection with the Notice of Appeal filed on January 14, 2008, including the three-month extension of time.

III. FEES PAID FOR WHICH REFUND REQUESTED AMOUNT OF REFUND REQUESTED

Extension of term	<u>\$ 525.00</u>
Notice of Appeal	<u>\$ 255.00</u>
TOTAL REFUND REQUESTED	<u>\$ 780.00</u>

IV. MANNER OF REFUND

Please make refund by crediting Deposit Account No.: 19-4972.

Date: March 14, 2008

/Kathryn E. Noll, Reg. #48,811/

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